



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0537

Introduced 01/27/05, by Rep. Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/20-8

from Ch. 46, par. 20-8

Amends the Election Code. Provides that absentee ballots of U.S. service members and overseas civilians that are received within 14 days after an election are eligible to be counted if postmarked or dated on or before 11:59 p.m. of the day before the election.

LRB094 06327 JAM 36402 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
5 20-8 as follows:

6 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

7 Sec. 20-8. In case any such ballot is received by the
8 election authority prior to the delivery of the official
9 ballots to the judges of election of the precinct in which said
10 elector resides, such ballot envelope and application, sealed
11 in the carrier envelope, shall be enclosed in the same package
12 with the other official ballots and therewith delivered to the
13 judges of such precinct. In case the official ballots for such
14 precinct have been delivered to the judges of election at the
15 time of the receipt by the election authority of such absent
16 voter's ballot, it shall immediately enclose said envelope
17 containing the absent voter's ballot, together with his
18 application therefor, in a larger or carrier envelope which
19 shall be securely sealed and addressed on the face to the
20 judges of election, giving the name or number of precinct,
21 street and number of polling place, city or town in which such
22 absent voter is a qualified elector, and the words, "This
23 envelope contains an absent voter's ballot and must be opened
24 only on election day at the polls immediately after the polls
25 are closed," mailing the same, postage prepaid, to such judges
26 of election, or if more convenient he or it may deliver such
27 absent voter's ballot to the judges of election in person or by
28 duly deputized agent and secure his receipt for delivery of
29 such ballot or ballots. Absent voter's ballots postmarked after
30 11:59 p.m. of the day immediately preceding the election
31 returned to the election authority too late to be delivered to
32 the proper polling place before the closing of the polls on the

1 day of election shall be endorsed by the person receiving the
2 same with the day and hour of receipt and shall be safely kept
3 unopened by the election authority for the period of time
4 required for the preservation of ballots used at such election,
5 and shall then, without being opened, be destroyed in like
6 manner as the used ballots of such election.

7 All absent voters' ballots received by the election
8 authority after 12:00 noon on election day or too late for
9 delivery to the proper polling place before the closing of the
10 polls on election day, except ballots returned by mail
11 postmarked after midnight preceding the opening of the polls on
12 election day, shall be counted in the office of the election
13 authority on the day of the election after 7:00 p.m. All absent
14 voters' ballots delivered in error to the wrong precinct
15 polling place shall be returned to the election authority and
16 counted under this provision. Absent voters' ballots
17 postmarked or dated on or before 11:59 p.m. of the day
18 immediately preceding the election but received by or delivered
19 to the election authority within 14 calendar days after the
20 election shall be eligible to be counted.

21 Such counting shall ~~commence no later than 8:00 p.m. and~~
22 ~~shall~~ be conducted by a panel or panels of election judges
23 appointed in the manner provided by law. Such counting shall
24 continue until all absent voters' ballots received as aforesaid
25 have been counted but in no case shall they be counted after
26 the 14th day following the election.

27 The procedures set forth in Section 19-9 of this Act and
28 Articles 17 and 18 of this Code, shall apply to all absent
29 voters' ballots counted under this provision; except that votes
30 shall be recorded without regard to precinct designation.

31 Where certain absent voters' ballots are counted in the
32 office of the election authority as provided in this Section,
33 each political party, candidate and qualified civic
34 organization shall be entitled to have present one pollwatcher
35 for each panel of election judges therein assigned.

36 (Source: P.A. 84-861.)